

ETI

Direct Testimony of Mona Petrochko
Application for Sections 13-404 and 13-405
Certificate of Authority from ICC

COPY

Appendix A

STATE OF ILLINOIS

BEFORE THE ILLINOIS COMMERCE COMMISSION

IN RE: Application of ENRON TELECOMMUNICATIONS, INC.)
 for a Certificate of Authority to Provide) No. _____
 Local Exchange Telecommunications Service)

ENRON TELECOMMUNICATIONS, INC.

DIRECT TESTIMONY OF

MONA PETROCHKO

OFFICIAL FILE

ILL. C. C. DOCKET NO. 01-0207

App Exhibit No. 1 Rev

DATE REPORTER

Date 4/12/01 Reporter

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Q. Please state your name and occupation.

A. My name is Mona Petrochko. I am Director of Government Affairs supporting Enron Broadband Services (EBS) for Enron Corporation in San Francisco.

Q. What are your duties as they relate to this Application?

A. I provide regulatory support to Enron Telecommunications Inc., (ETI) a wholly-owned subsidiary of EBS, in obtaining interexchange and local exchange carrier licenses in various states.

Q. What is your professional background relevant to these proceedings.

A. I have a B.S. in Petroleum and Natural Gas Engineering from Penn State University and I have worked for Enron Corporation, in Government Affairs, since April 1996. While with Enron I have provided regulatory and legislative support for various Enron business units primarily in the western United States on deregulation in the natural gas and electricity industries. I have testified before the state regulatory commissions of California, New Mexico, Arizona, Montana, and Colorado. I have nearly 15 years of energy-related experience having previously worked for San Diego Gas and Electric in San Diego and Elizabethtown Gas in New Jersey with various responsibilities including rate/regulatory support, demand and supply forecasting, and corporate financial planning.

Q. What is the purpose of your testimony?

A. The purpose of my testimony is to present evidence on the financial, technical, and managerial abilities of ETI to provide highspeed data service as a CLEC in Illinois.

Q. Has EBS registered to do business in Illinois?

A. Yes.

Q. Can you describe the service that EBS proposes to offer?

A. Yes. ETI seeks authority to provide facilities-based local high speed data service to corporate customers throughout the State of Illinois pursuant to contracts individually negotiated with its corporate customers.

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Q. When does EBS expect to be able to provide service in Illinois?

A. We expect to begin service no later than the second quarter of 2001.

Q. How will ETI handle customer service requests?

A. Our relationships with our customers will be based upon respective customer service agreements.

Q. How many employees does ETI have?

A. ETI operates through its parent, EBS, which has in excess of 750 employees.

Q. Does ETI have sufficient managerial resources and abilities to provide telecommunications services in Illinois?

A. Yes. The officers and senior management of ETI have considerable experience in management, marketing, network operations, customer service, and financial and accounting issues. The background and experience of ETI's officers and senior management are set forth in Exhibit C to ETI's Application.

Q. Does ETI have the financial ability to provide the proposed service?

A. Yes. Evidence of ETI's financial strength is found in the financial data submitted with our Application as Appendix D.

Q. Is ETI requesting any waivers from the ICC in relation to the proposed certificate?

A. Yes. ETI is requesting authority to maintain our records out of state pursuant to Part 250. ETI also seeks waivers of the following provisions and any others that have been waived for any other CLEC applicant:

710: ETI seeks waiver of Part 710 in that ETI maintains its books and records in accordance with GAAP and FASB.

735.180: ETI seeks waiver of Part 735.180 in that all of its service will be delivered under individually negotiated contracts which will cover the areas addressed in this Part.

With respect to the other Parts for which waiver is sought in the response to Question #3 of the Application, we understand that compliance with those Parts will not be waived but that they will not apply to our service unless we undertake to provide voice service. If we do undertake to provide voice service, we

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understand that we will be bound to comply with the requirements of those Parts.

Q. Will your company comply with 83 Illinois Administrative Code Part 705, Preservation of Records of Telephone Utilities?

A. We maintain our records according to GAAP and FASB and retain and preserve our historical records.

Q. Who will provide customer repair service for your company?

A. We will provide customer repair service, where applicable, pursuant to the terms of the contracts we negotiate with our respective customers.

Q. Will your company meet the requirements as they pertain to the telephone Assistance Programs imposed by Sections 13.301 and 13.301.1 of the Illinois Public Utilities Act and 83 Illinois Administrative Code Part 757?

A. We do not believe that this question relates to the service for which we seek certification. In the event ETI undertakes to provide voice service it will comply with all requirements in this regard.

Q. Will your company solicit, collect, and remit the voluntary contributions from its telephone subscribers to support the Telephone Assistance Programs?

A. We do not believe that this question relates to the service for which we seek certification. In the event ETI undertakes to provide voice service it will comply with all requirements in this regard.

Q. Does your company plan on filing to become an Eligible Telecommunications Carrier?

A. No.

Q. Does the company realize that it will not be able to receive any of the federal reimbursements for the Lifeline and Link Up Programs if it is not an eligible carrier?

A. Yes.

Q. Will your company offer all of the waivers associated with the Universal Telephone Service Assistance Programs (UTSAP)?

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A. We intend to provide only high speed data service for corporate customers and therefore do not believe that this question applies to our activities. In the event ETI undertakes to provide voice service it will comply with all requirements in this regard.

Q. Will your company abide by the regulations as prescribed in 83 Illinois Administrative Code Part 755, "Telecommunications Access for Persons with Disabilities," 83 Illinois Administrative Code Part 756 "Telecommunications Relay Service," and Sections 13-703 of the Illinois Public Utilities Act?

A. We intend to provide only high speed data service for corporate customers and therefore do not believe that these Parts apply to our activities. In the event ETI undertakes to provide voice service it will comply with all requirements in this regard.

Q. Will the company's billing system be able to distinguish between resale and facilities based service for the collection of the ITAC line charge?

A. We do not believe that this question relates to the service for which we seek certification. In the event ETI undertakes to provide voice service it will comply with all requirements in this regard.

Q. Has your company signed and returned the Universal Telephone Assistance Corporation ("UTAC") and the Illinois Telecommunications Access Corporation ("ITAC") to Commission staff?

A. Yes, but we do not believe that this question relates to the service for which we seek certification. In the event ETI undertakes to provide voice service it will comply with all requirements in this regard.

Q. Please describe your company's internal process for complaint resolution, the escalation process within your company, and when a customer is notified that they may contact the Illinois Commerce Commission for assistance.

A. All of our service will be provided pursuant to contracts negotiated with customers. Those contracts will have negotiated terms for all aspects of our service, including complaint resolution.

Q. Will the company file tariffs for all services and charges associated with providing local telephone service.

A. Yes.

Q. How does your company plan to solicit customers once it begins to provide local

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service.

A. ETI will enter into negotiated contracts with corporate customers.

Q. Will your company abide by federal and state slamming laws?

A. Yes. However, we do not intend to provide local voice telephone service to residential customers pursuant to this application.

Q. Has your company written guidelines to prevent the unauthorized slamming of local exchange customers?

A. We do not intend to provide local voice service to residential customers under this certificate and therefore will not be in a position to slam.

Q. Has your company provided service under any other name?

A. ETI is a wholly owned subsidiary of EBS which is certificated in several states, as noted in answer to Question 12 on the Application, and holds an interexchange certificate in Illinois.

Q. Have any complaints or judgments been levied against the company? (Instate, out-of-state, or FCC)

A. No.

Q. Will your company provide pre-paid service?

A. No.

Q. In the event your company changes its plan and undertakes to provide local voice service, will ETI comply with provisions waived under this Application which would normally apply to a CLEC providing voice service?

A. If ETI seeks to provide voice service we will seek appropriate authority and waivers and will comply with all applicable provisions that are not waived by the Commission.

Q. Does this conclude your testimony?

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A. Yes. Thank you.

Mona Petrochko
Mona Petrochko

State of California
County of San Francisco

Subscribed and sworn to before me, a Notary Public/

DENISE MALATESTA

(Title of person authorized to administer oaths)

in the State and County above named, this 12th day of April, 2001.

Denise Malatesta



MEMBERSHIP APPLICATION AND AGREEMENT
UNIVERSAL TELEPHONE ASSISTANCE CORPORATION

Name of Applicant: Enron Telecommunications, Inc.

Address of Applicant: 1400 Smith Street
Houston, TX 77002

Name, title, address, and telephone number of responsible individual with applicant to whom communications should be sent:

Mona Petrochko,
Director, Government Affairs
101 California Street, Suite 1950
San Francisco, CA 94111 (415)-782-7821

The applicant hereby applies for membership in the Universal Telephone Assistance Corporation ("Corporation"), an Illinois not-for-profit corporation. Upon the applicant's execution of this application and submission of this application to the Corporation, the Corporation will accept and execute this application in the space provided below, and will return an executed copy of this application to the applicant.

In support of its application for membership, the applicant states and agrees as follows:

1. Applicant is a telecommunications carrier providing local service as defined in the Illinois Public Utilities Act ("PUA").
2. Applicant agrees that it will be subject to, and have those rights and obligations set forth in, the By-laws of the corporation as adopted by the Corporation's board of directors and approved by the Illinois Commerce Commission ("Commission"), as now in effect and as amended from time to time in the future.
3. Applicant acknowledges that the corporation is subject to the continuing supervision of and regulation by the Commission, and that the rights and obligations of each member may change as a result of this supervision and regulation.
4. To the extent from time to time approved by the Commission, the applicant delegates to the corporation authority to make such actions on behalf of the applicant as shall be necessary for the applicant to comply with its obligations under Section 13-301.1 of the PUA.
5. Applicant agrees to pay such portions of the monies collected by or on behalf of the applicant under and pursuant to Section 13-301.1 of the PUA (including income therefrom and appreciation thereon) as the Commission may from time to time order or as the corporation may from time to time request in accordance with orders of the Commission.

Dated: April 11, 2001

By: Mona Petrochko

Title: Director, Government Affairs

SPACE BELOW TO BE COMPLETED BY UTAC ONLY

Acceptance: The above application and agreement is hereby accepted and the applicant is hereby accepted for membership in the corporation.

Date: _____

Universal Telephone Assistance Corporation

By: _____

Title: _____

MEMBERSHIP APPLICATION AND AGREEMENT
ILLINOIS TELECOMMUNICATIONS ACCESS CORPORATION

Name of Applicant: Enron Telecommunications, Inc.

Address of Applicant: 1400 Smith Street
Houston, TX 77002

Name, title, address, and telephone number of responsible individual with applicant to whom communications should be sent:

Mona Petrochko, Director, Government Affairs
101 California Street, Suite 1950
San Francisco, CA 94111
(415) 782-7821

The applicant hereby applies for membership in the Illinois Telecommunications Access Corporation ("Corporation"), an Illinois not-for-profit corporation. Upon the applicant's execution of this application and submission of this application to the corporation, the corporation will accept and execute this application in the space provided below, and will return an executed copy of this application to the applicant.

In support of its application for membership, the applicant states and agrees as follows:

1. Applicant is a telecommunications carrier providing local service as defined in the Illinois Public Utilities Act ("PUA").
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3. Applicant acknowledges that the corporation is subject to the continuing supervision of and regulation by the Commission, and that the rights and obligations of each member may change as a result of this supervision and regulation.
4. To the extent from time to time approved by the Commission, the applicant delegates to the corporation authority to make such actions on behalf of the applicant as shall be necessary for the applicant to comply with its obligations under Section 13-703 of the PUA.
5. Applicant agrees to pay such portions of the monies collected by or on behalf of the applicant under and pursuant to Section 13-703 of the PUA (including income therefrom and appreciation thereon) as the Commission may from time to time order or as the corporation may from time to time request in accordance with orders of the Commission.

Dated: April 11, 2001

By: Mona Petrochko

Title: Director, State Gov't Affairs

SPACE BELOW TO BE COMPLETED BY ITAC ONLY

Acceptance: The above application and agreement is hereby accepted and the applicant is hereby accepted for membership in the corporation.

Date: _____

Illinois Telecommunications Access Corporation

By: _____

Title: _____